

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

UNITED STATES OF AMERICA,

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v.

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Case No. 2:20-cr-49

JAVIER SANCHEZ MENDOZA, JR.,

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Defendant.

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**DEFENDANT'S MOTION FOR DISCOVERY AND INSPECTION OF EVIDENCE
THAT GOVERNMENT INTENDS TO OFFER AT TRIAL**

COMES NOW the above-referenced Defendant, by and through his undersigned counsel, and respectfully moves this Honorable Court, pursuant to Federal Rule of Criminal Procedure 16, to order the United States Attorney to produce and permit this defendant to inspect, copy or photograph the following:

All books, papers, documents or tangible objects that the Government plans to offer as evidence in this case.

Memorandum of Law in Support of Motion

"In our adversary system for determining guilt or innocence, it is rarely justifiable for the prosecution to have exclusive access to the storehouse of relevant fact . . . [i]t is especially important that the defense, the judge and the jury should have the assurance that the doors that may lead to truth may have been unlocked." United States v. Dennis, 384 U.S. 855, 873 (1966). The objects requested in this motion are discoverable since any item which the Government intends to introduce at trial meets Federal Rule of Criminal Procedure 16(b)'s two pronged test of both "materiality" and "reasonable[ness]." United

States v. Pilnick, 267 F. Supp. 791 (S.D. N.Y. 1967); United States v. Tanner, 279 F. Supp. 457 (N.D. Ill. 1967); United States v. Reid, 43 F.R.D. 520 (N.D. Ill. 1967); United States v. Aadal, 280 F. Supp. 859 (S.D. N.Y. 1967).

Conclusion

This Defendant respectfully moves this Honorable Court to order the production of the above-described papers, documents and information now in the possession of the Government or which, through reasonable diligence, could be obtained or located, and for such other and further relief as this Honorable Court should deem just and proper.

RESPECTFULLY SUBMITTED this the 31st day of March, 2021.

s/ Steven Blackerby

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